

May 20, 1992

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Office of the Secretary
Federal Communications Commission
1919 M St.
Washington, D.C. 20554

Federal Communications Commission
Office of the Secretary

Dear Ms. Searcy,

We appreciate the opportunity to express our thoughts and concerns regarding the Proposed Rulemaking in the matter of the Telephone Consumer Protection Act of 1991.

We are in agreement with the proposed exceptions of non-commercial auto dialers. The types of calls placed by civic institutions, government, political campaigns or other non-commercial institutions can help to serve the public interest.

We are also in agreement with the proposed exception of tax exempt nonprofit organizations from the Telephone Consumer Protection Act. These organizations provide valuable services to the community, and are not out for commercial gain.

We are in support of the exception of auto dialer calls to those of a prior or existing business relationship. The term "business relationship" should mean an agreement or transaction has occurred, and there is a record to verify that. An attempt to define "prior" and "existing" business relationships will be difficult, as some products/agreements are supplied with warranties or are purchased in multiple years (i.e. magazine subscriptions). Allowing both at this time will eliminate additional burdens on companies, and deal with the "cold contacts" which is where most complaints originate.

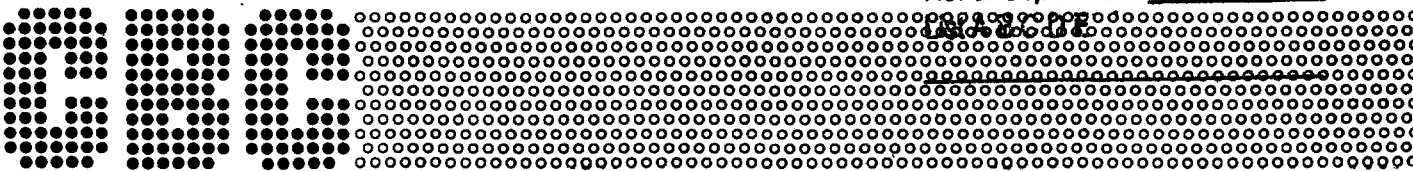
Regarding the Regulatory Alternatives to Restrict Telephone Solicitation, we are in support of a Company Specific Do Not Call List for the following reasons:

1. It allows the consumer to eliminate specific companies they do not want to hear from, without eliminating all companies in that business. (i.e. Just because I had a bad experience with a lawn care company that had contacted me by telephone, it does not mean that I now don't want any calls from lawn care companies).
2. It allows the customer that does not want to be called by a specific company, to be filed in a do not call list of that company within a few days rather than waiting to be updated in a national or regional database periodically.

3. Company Specific do not call list would

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appropriate area that a company conducts business, and and the costs would be very minimal. Conversely if a business had to purchase a national or regional do not call list, it would encompass areas that a business did not conduct any calling. And the cost for this would be significantly higher than the company specific.

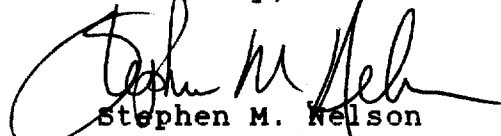
4. Keeps costs at a minimum, which will help retain more work personnel and keep prices down. If you have a national/regional or industry do not call list, you are going to eliminate numbers of potential customers and thus reduce the telemarketing workforce in unison. A company specific do not call list would allow the business to adjust responsibly and not universally. It will also help to keep the cost of products down, as the price to comply will probably be passed onto the customers.

A company specific do not call list should be made available to the Federal Communications Commission and/or the state Attorney General's office, in the event of a complaint that is received with regard to compliance with the privacy rights as is intended in the Telephone Consumer Protection Act. At no time should any information of the Company Specific do not call list be provided to anyone else.

We would not like to see any time restrictions adopted, as this would hinder some businesses that conduct their work at various times, not conducive to the 9 a.m. to 9 p.m. timeframe. Also society has become more active, making flexible times to reach them more important. As with the company specific do not call list, a business can make a notation of what time a person wants to be called, or does not want to be called. If a person received a telephone call they felt was not suitable to their schedule, they would either ask to be called back at another time or they would probably ask not to be called again.

Thank you for your time and consideration of our comments.
Please do not hesitate to contact me should you desire.

Sincerely,



Stephen M. Nelson
Director of Marketing